

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF THE DISCIPLINARY :  
PROCEEDINGS AGAINST : FINAL DECISION AND ORDER  
:  
MICHAEL N. MANGOLD, M.D., : ORDER 0000 257  
RESPONDENT. :

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Division of Enforcement Case No. 07 MED 112

The parties to this action for the purposes of Wis. Stat. § 227.53 are:

Michael N. Mangold, M.D.  
Mangold Center for Family Health  
120 N. Main Street  
Suite 120  
West Bend, WI 53095

Wisconsin Medical Examining Board  
P.O. Box 8935  
Madison, WI 53708-8935

Wisconsin Department of Regulation and Licensing  
Division of Enforcement  
P.O. Box 8935  
Madison, WI 53708-8935

PROCEDURAL HISTORY

This disciplinary proceeding was commenced by the filing and service of a Complaint and Notice of Hearing on May 19, 2010. The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Medical Examining Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Michael N. Mangold, M.D. (DOB January 30, 1957) is duly licensed and currently registered to practice medicine and surgery in the state of Wisconsin under license number 32859-20. This license was first granted on December 19, 1991.

2. Respondent's most recent address on file with the Wisconsin Medical Examining Board is 120 N. Main St., Suite 120, West Bend, Wisconsin 53095.

3. From May 2006 through January 1, 2007, Respondent was under contract with Tri-County Memorial Hospital in Whitehall, Wisconsin to provide physician services. Respondent worked mostly in the emergency room on weekends and holidays.

4. Between October 1, 2006 and December 24, 2006, Respondent failed to complete the medical charts of 5 patients who had been admitted to the hospital:

a. He never dictated or signed a discharge summary on patient 6781, who was admitted on September 30 and discharged on October 1.

b. He never dictated or signed a discharge summary on patient 18364, who was admitted on November 25 and discharged on November 26.

c. He never dictated or signed a discharge summary on patient 9631, who was admitted on November 25 and discharged on November 26.

d. On December 3, he dictated an admission history and physical on patient 26510, but never signed it.

e. He never signed his verbal discharge order on patient 35095, who was admitted on December 21 and whose body was discharged to a funeral home on December 24.

5. Between December 3, 2006 and January 1, 2007, Respondent failed to dictate records on 9 patients he saw in the emergency room.

6. Between November 5, 2006 and January 1, 2007, Respondent dictated but failed to sign records on 40 patients he saw in the emergency room.

7. The hospital made several requests of Respondent to complete the medical records. For reasons not related to incomplete records, Respondent's contract with the hospital was terminated on January 1, 2007. On January 10, 2007, copies of the existing records were sent to the Respondent for him to complete and sign. Respondent never returned those records to the hospital.

8. Wis. Admin. Code § HFS 124.14(3)(c) (effective at that time) required hospital medical records of discharged patients to be completed within a reasonable period of time not to exceed 30 days.

9. Respondent's failure to complete or sign the hospital records also failed to meet the health care record requirements of Wis. Admin. Code § Med 21.03.

#### Prior Discipline

10. On January 24, 2007, the Board issued a Final Decision and Order disciplining Respondent for engaging in conduct in 2002 which tended to constitute a danger to a patient. Respondent failed to properly evaluate an emergency room patient which resulted in a 3 day delay of treatment of a hemothorax and fractured rib. Respondent was ordered to complete 15

hours of continuing education in the evaluation and treatment of cardiothoracic injuries. Respondent completed the education as ordered and has an unlimited license.

#### CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat. § 448.02(3), and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. Respondent, by failing to complete hospital records consistent with the requirements of Wis. Admin. Code § HFS 124.14(3)(c), has violated an administrative rule the circumstances of which substantially relate to the circumstances of the practice of medicine, which is unprofessional conduct as defined by Wis. Admin. Code § Med 10.02(2)(z) and is subject to discipline pursuant to Wis. Stat. § 448.02(3).

3. Respondent, by failing to maintain patient healthcare records consistent with the requirements of Wis. Admin. Code § Med 21.03, has violated a rule of the board, which is unprofessional conduct as defined by Wis. Admin. Code § Med 10.02(2)(a) and (za) and is subject to discipline pursuant to Wis. Stat. § 448.02(3).

#### ORDER

1. Michael N. Mangold, M.D., Respondent, is hereby REPRIMANDED for the above conduct.

2. The license of Michael N. Mangold, M.D. to practice medicine and surgery in the State of Wisconsin is LIMITED, as follows:

a. Within 6 months of the date of this Order, Respondent shall provide proof sufficient to the Board, or its designee, of Respondent's satisfactory completion of the Intensive Course in Medical Record Keeping offered by Case Western Reserve University School of Medicine, a 17.5 category 1 credit program being offered June 3 and 4 and again on November 4 and 5, 2010—Continuing Medical Education.

b. If Respondent is unable to complete the course described in subparagraph a because of illness or other circumstance found to be acceptable by the Board or its designee, Respondent shall, prior to the required completion date, petition for a reasonable extension of time within which to take and complete the course or an equivalent course.

c. Upon Respondent providing proof sufficient to the Board, or its designee, that he has completed the education, the Board or its designee shall issue an Order removing this limitation of Respondent's license.

d. Respondent is responsible for paying the full cost of attending this course. Respondent is prohibited from applying any of the hours of education completed to satisfy the terms of this Order toward satisfaction of the continuing education required during the November 1, 2009 through October 31, 2011 registration biennium.

3. Respondent shall, within 90 days of the date of this Order, pay to the Department of Regulation and Licensing the costs of this proceeding in the amount of \$650.00 pursuant to Wis. Stat. § 440.22(2).

4. All payments, requests and evidence of completion of the education required by this Order shall be mailed, faxed or delivered to:

Department Monitor  
Department of Regulation and Licensing  
Division of Enforcement  
P.O. Box 8935  
Madison, WI 53708-8935  
Fax (608) 266-2264  
Telephone (608) 267-3817

5. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of the costs as ordered or fails to comply with the ordered continuing education as set forth above, the Respondent's license may, in the discretion of the Board or its designee, be **SUSPENDED**, without further notice or hearing, until Respondent has complied with payment of the costs or completion of the continuing education.

6. This Order is effective on the date of its signing.

MEDICAL EXAMINING BOARD

By:   
A Member of the Board

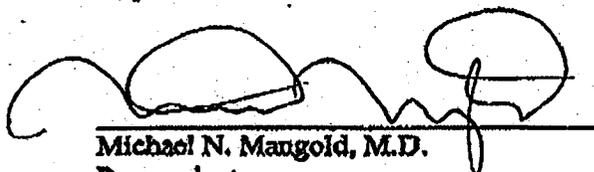
6/16/10  
Date



6. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement and any member of the Medical Examining Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of the Respondent or his attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with the Board's deliberations on the Stipulation. Additionally, any such Board advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

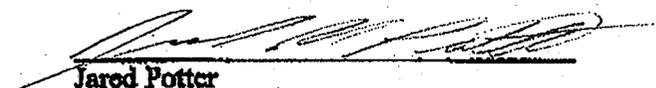
7. Respondent is informed that should the Board adopt this Stipulation, the Board's final decision and order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Enforcement joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



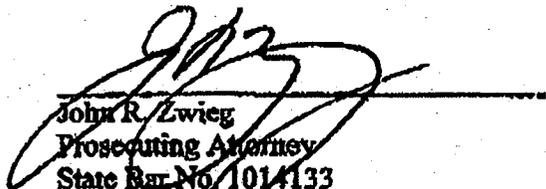
Michael N. Mangold, M.D.  
Respondent  
Mangold Center for Family Health  
120 N. Main Street  
Suite 120  
West Bend, WI 53095

5/24/10  
Date



Jared Potter  
Attorney for Respondent  
Stafford Rosenbaum LLP  
325 North Corporate Drive  
Suite 190  
Brookfield, WI 53045

5/25/2010  
Date



John R. Zwieg  
Prosecuting Attorney  
State Bar No. 1014133  
Department of Regulation and Licensing  
Division of Enforcement  
P.O. Box 8935  
Madison, WI 53708

May 24, 2010  
Date